



DOT-E 12391
(FIRST REVISION)

EXPIRATION DATE: August 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Airgas Management, Inc.
Cheyenne, WY

(See Appendix A for additional list of grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain Division 2.1 and 2.2 gases, as specified in paragraph 6 below, in ICC Specification 3, 3A or 3AA cylinders manufactured on or before December 31, 1945, and which have been retested at least every 10 years. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.203(a) in that the exemption number is not required to be indicated on the shipping paper, § 173.34(e)(16)(i)(A) in that

cylinders manufactured on or before December 31, 1945, and otherwise conforming to the requirements of § 173.34(e)(16) may be retested every 10 years instead of every five years, and § 175.3.

5. BASIS: This exemption is based on the application of Airgas Management, Inc. dated November 3, 1999, and supplemental documentation dated January 30 and July 4, 2000 submitted in accordance with § 107.105, and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Gases and gas mixtures specified in § 173.34(e)(16)(i)(B)	2.1 or 2.2 as appro- priate	As appro- priate	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are cylinders marked and manufactured to ICC-3, 3A or 3AA, with a water capacity of 125 pounds or less, conforming in all respects with § 173.34(e)(16) except that the cylinders were manufactured on or before December 31, 1945.

b. TESTING - The internal hydrostatic water jacket test must be performed at least every ten years instead of every five years in accordance with the applicable requirements of § 173.34(e) and be in accordance with the Airgas Safecor "Hydrotesting Review Manual" on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). In addition, cylinders must be in conformance with CGA pamphlets, C-1 "Methods for Hydrostatic Testing of Compressed Gas Cylinders" (1996 edition) and C-5, "Cylinder Service Life-Seamless Steel, High Pressure Cylinders" (1991 edition).

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Marking

(1) Each cylinder having successfully passed the internal hydrostatic water jacket test required by paragraph 7.b. above must be marked "DOT-E 12391" as specified in § 172.301(c) and be marked with a five pointed star in accordance with § 173.34 (e) (16) (i) (f).

(2) The marking requirement specified in § 172.203(a) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENT: A current copy of this exemption must be carried aboard each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

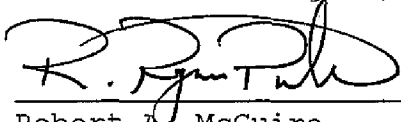
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



For Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

APR 25 2001

(DATE)

Address all inquiries to: Associate Administrator for
Hazardous Materials Safety, Research and Special Programs
Administration, Department of Transportation, Washington, D.C.
20590.

Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

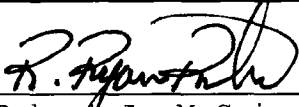
PO: SS/sdc

The following are hereby granted party status to this exemption OCT 3 2001 based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Abbott Fire & Safety, Inc., Colorado Springs, CO	5/24/01	6/19/2001	8/31/02
Advanced Fire & Safety, Inc. Dothan, AL	1/8/01	4/25/01	8/31/02
Certified Cylinder Testing, Paterson, NJ	4/30/01	6/19/2001	8/31/02
Cyl-Tec, Inc. Aurora, IL	8/15/01	OCT 3 2001	8/31/02
Gulf Coast Hydro Sarasota, FL	1/3/01	4/25/01	8/31/02
J&M Cylinder Gases, Inc. Decatur, AL	3/12/01	4/25/01	8/31/02
Kint Corporation Harrisburg, PA	9/10/01	OCT 3 2001	8/31/02
National Welders Supply Co., Inc. Charlotte, NC	3/20/01	4/25/01	8/31/02
North Mississippi Fire Equipment, Tupelo, MS	4/30/01	6/19/2001	8/31/02
Northeast Pressure Vessel Testing Westboro, MA	1/22/01	4/25/01	8/31/02
Precision Testing Dania Beach, FL	1/3/01	4/25/01	8/31/02
Sky Cylinder Testing Evansville, IN	3/22/01	4/25/01	8/31/02

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Company Name City/State	Application Date	Issue Date	Expiration Date
West Georgia Fire Extinguisher, Inc. Carrollton, GA	5/23/01	6/19/2001	8/31/02
Yettters Carbonic Gas, Inc., Flint, MI	5/29/01	6/19/2001	8/31/02



For Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety